

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARIO L. GORDON,

Defendant.

Case No. 02-cr-40004-SMY

ORDER

YANDLE, District Judge:

Pending before the Court is Defendant Mario L. Gordon's motion for judicial recommendation for placement in a residential reentry center or halfway house, pursuant to the Second Chance Act, 18 U.S.C. § 3624(c) (Doc. 398). Gordon is currently housed at Victorville Medium I FCI and has an anticipated release date of April 29, 2023. *See* Federal Bureau of Prisons Inmate Locator, <https://www.bop.gov/inmateloc/> (last visited July 1, 2022). He asks the Court to recommend his placement in a halfway house for the maximum available time.

In support of his motion, Gordon asserts that his mother has major health problems and requires assistance. He further states that he has been incarcerated for over 20 years and seeks to take advantage of the maximum 12-month period in RRC placement so that he may begin rebuilding his life.

"The Bureau of Prisons shall designate the place of the prisoner's imprisonment." 18 U.S.C. § 3621(b). "[T]o the extent practicable," the Bureau of Prisons shall "ensure a prisoner spends the final months of that term (not to exceed 12 months), under conditions that will afford that prisoner a reasonable opportunity to adjust to and prepare for the reentry of that prisoner into the community. Such conditions may include a community correctional facility." 18 U.S.C. §

3624(c). While a court may recommend a penal or correctional facility, any such recommendation “shall have no binding effect on the authority of the Bureau under this section to determine or change the place of imprisonment of that person.” 18 U.S.C. § 3621(b).

Here, Gordon has provided the Court no information regarding his incarceration course, including his institutional disciplinary record. Absent such information, the Court declines to provide the requested recommendation. Accordingly, the motion is **DENIED**.

IT IS SO ORDERED.

DATED: July 22, 2022

STACI M. YANDLE
United States District Judge